



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Jennifer Fairfield, Treasurer
Gretchen Driskell for Congress
P.O. Box 464
Saline, MI 48176

APR 22 2019

RE: MUR 7520

Dear Ms. Fairfield:

On October 24, 2018, the Federal Election Commission ("Commission") notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On April 18, 2019, based upon the information contained in the complaint and information provided by respondents, the Commission decided to dismiss allegations that Gretchen Driskell for Congress and you in your official capacity as treasurer violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Kristina Portner, the attorney assigned to this matter, at (202) 694-1518.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: 
Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7520

**Respondents: Gretchen Driskell for Congress
and Jennifer Fairfield, as
Treasurer ("the Committee")¹**

Complaint Receipt Date: October 19, 2018

Response Date: January 29, 2019

EPS Rating:

Alleged Statutory

52 U.S.C. § 30104(b)(4)

Regulatory Violations:

11 C.F.R. § 104.3(b)(2)

The Complaint alleges that the Committee failed to report any expenditures for a fundraiser held on May 28, 2015.² The Response, submitted by the Committee's campaign manager, states that the Committee incurred no expenses for the event because there were no attendees, no food costs, and no required rental or deposit costs for the venue.³

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the

¹ Driskell was a 2018 candidate for the U.S. House of Representatives in Michigan's Seventh District. Gretchen Driskell for Congress is her principal campaign committee.

² Compl. at 1 (October 19, 2018).

³ Resp. at 1 (January 29, 2019).

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apparent lack of any expenditures associated with the planned event, which were required to be reported by the Committee, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

Lisa J. Stevenson
Acting General Counsel

4/9/2019

Date

BY: Charles Kitcher
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Acting Associate General Counsel

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